

REMARKS/ARGUMENTS

Applicants have elected, without traverse, to prosecute claims 1 - 18 of Group I in response to the Restriction Requirement issued for the present patent application. Claims 19 - 37 of Groups II and III are canceled herein.

The disclosure is objected to for failing to include U.S. Patent Application Serial Numbers of related applications.

Claims 1 - 18 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 1 - 16 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Powell et al., U.S. Patent No. 5,854,303 ("Powell") in view of Teumac et al., U.S. Patent No. 6,465,065 ("Teumac").

Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Powell in view of Teumac, and further in view of Cook, U.S. Patent No. 6,933,046.

Objection to Disclosure:

Applicants have submitted herein an amended paragraph for page 1 identifying the Serial Nos. of related applications.

35 U.S.C. 112, Second Paragraph:

Applicants have amended claim 1 to include a step for removing a selected metal ion from the solution. Claim 2 has been canceled.

35 U.S.C. 103(a):

New claims 38 - 40 have been added.

Powell is directed to a polymeric material incorporating a polyvalent cation chelating agent in an amount effective to inhibit the growth of an ocular pathogen.


Powell does not disclose several features of the claims as amended herein. In particular, Powell does not disclose an immobilized sequestering agent as claimed in claim 1 and new claim 39. Moreover, Powell does not disclose a barrier layer permitting water to pass therethrough but blocking microorganisms as recited in new claims 38 and 39, and supported in the present specification beginning on page 15, line 19, and in particular at the top of page 17, line 7, and the corresponding description of Fig. 4.

Hence, these claims are allowable. Because the independent claims 1 and 39 include one or more of these limitations, all remaining claims also include these limitations by dependency and are also allowable.

In view of the foregoing it is respectfully submitted that the claims in their present form are in condition for allowance and such action is respectfully requested.

The Commissioner is hereby authorized to charge any fees in connection with this communication to Eastman Kodak Company, Deposit Account No. 05-0225.

Respectfully submitted,



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If the Examiner is unable to reach the Applicant(s) Attorney at the telephone number provided, the Examiner is requested to communicate with Eastman Kodak Company Patent Operations at (585) 477-4656.